

## Message Text

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71

ORIGIN OES-06

INFO OCT-01 NEA-10 IO-13 ISO-00 ERDA-07 AID-05 ACDA-10

NRC-07 JUSE-00 IGA-02 L-03 DODE-00 EB-07 NSAE-00

TRSE-00 CIAE-00 COME-00 USIE-00 /071 R

DRAFTED BY OES/NET/IM:DHOYLE

APPROVED BY OES/NET/IM:DHOYLE

NEA/INS - B.BROWN (SUBS)

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O 241930Z MAY 76 ZFF4

FM SECSTATE WASHDC

TO AMCONSUL BOMBAY NIACT IMMEDIATE

INFO AMEMBASSY NEW DELHI IMMEDIATE

USMISSION IAEA VIENNA PRIORITY

UNCLAS STATE 127544

E.O. 11652: NA

TAGS: TECH, IN

SUBJECT: TARAPUR FUEL EXPORT LICENSES

1. FOLLOWING IS SUBSTANTIVE PORTION OF TEXT OF NRC ORDER  
ISSUED MAY 21 (FULL TEXT NOT AVAILABLE TO EXECUTIVE BRANCH  
UNTIL MAY 24):

"THE DEPARTMENT OF STATE AND PETITIONERS HAVE AGREED  
THAT, IN ORDER TO PERMIT AN EXTENSION OF TIME ADEQUATE FOR  
PREPARATION FOR HEARINGS, AN AMENDED LICENSE APPLICATION  
FILED FOR XSNM-805 WOULD BE BOTH APPROPRIATE AND UNOBJEC-  
TIONABLE. THE RESPONSE (OF THE DEPARTMENT OF STATE, DATED  
MAY 20, 1976) STATES THAT THE AMENDED APPLICATION WOULD BE  
FOR 'THREE TONS OF 2.1 U-235 AND SIX TONS OF 2.66 U-235.  
LICENSE APPLICATION NO. XSNM-845 WILL BE APPROPRIATELY  
REDUCED BY SIX TONS.' THE LETTER DATED MAY 21 FROM THE  
EDLOW INTERNATIONAL COMPANY WAS MORE SPECIFIC, INDICATING  
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THAT THE QUANTITIES IN AMENDED XSNM-805 WOULD BE "231.28 KGS

U-235 CONTAINED IN 9165.6 KGS U ENRICHED TO A MAXIMUM OF 2.71 PERCENT." IN LIGHT OF THE AGREEMENT OF THE PARTICIPANTS TO AN EXTENSION OF TIME FOR THE HEARING, THE PETITIONERS AGREED NOT TO RAISE FURTHER OBJECTION TO THE GRANTING OF AMENDED LICENSE NO. XSNM-805. THE AGREEMENT BETWEEN THE PARTICIPANTS WAS MADE, ON THE CONDITION THAT THIS DOES NOT INVOLVE A WAIVER OF ANY LEGAL ARGUMENTS WITH RESPECT TO

THE MERITS OF GRANTING LICENSE XSNM-845 AND THAT IT IS WITHOUT PREJUDICE TO LEGAL RIGHTS OR ARGUMENTS RAISED IN BOTH XSNM-805 AND XSNM-845.'

"IN VIEW OF THE NEW INFORMATION OBTAINED BY THE DEPARTMENT OF STATE, AND THE AGREEMENT BETWEEN THE PETITIONERS AND THE STATE DEPARTMENT, WHICH HAS BEEN CONCURRED IN BY THE NRC STAFF AND THE EDLOW INTERNATIONAL COMPANY AS AGENT FOR THE GOVERNMENT OF INDIA, THE COMMISSION BELIEVES THAT AN EXTENSION OF TIME WOULD BE APPROPRIATE IN THESE PROCEEDINGS. THEREFORE, A REVISION OF OUR EARLIER FEDERAL REGISTER NOTICE WILL BE PREPARED, TO BE CONSISTENT WITH THE FOLLOWING POINTS:

"(1) THE TIME FOR RECEIPT OF WRITTEN COMMENTS WILL BE EXTENDED TO JULY 8, 1976. THESE COMMENTS SHALL INCLUDE THE TEXT OF ANY FACTUAL OR OTHER STATEMENTS INTENDED TO BE PRESENTED AT THE ORAL HEARING.

"(2) THE ORAL HEARING IN THIS MATTER WILL BE RESCHEDULED FOR THE WEEK OF JULY 19, 1976, WITH A FURTHER, SPECIFIC NOTICE AS TO THE DATE TO BE PUBLISHED AT LEAST 30 DAYS BEFORE THE HEARING DATE;

"(3) INDIVIDUALS OTHER THAN THOSE WHO MADE PRESENTATIONS AT THE COMMISSION'S MARCH 17TH HEARING MAY FILE COMMENTS CONCERNING THE MATTERS DISCUSSED AS APPROPRIATE FOR THE HEARING IN THE COMMISSION'S OPINION OF MAY 7TH, WITH A STATEMENT AS TO THEIR INTEREST IN APPEARING AT THE ORAL HEARING. THE COMMISSION WILL PROMPTLY DECIDE WHETHER TO ADMIT SUCH NEW PARTICIPANTS TO THE ORAL PORTION OF THE PROCEEDING AND WILL NOTIFY EACH INDIVIDUAL OF ITS DECISION  
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WELL BEFORE THE HEARING DATE.

"THE COMMISSION INTENDS TO ACT AS EXPEDITIOUSLY AS POSSIBLE IN ITS REVIEW AND CONSIDERATION OF THE AMENDED LICENSE APPLICATION XSNM-805 WHEN THAT AMENDED LICENSE APPLICATION IS FILED. NEITHER THE DECISION ANNOUNCED TODAY ON THE REQUEST FOR EXTENSION OF TIME, NOR ANY DECISION ON AMENDED LICENSE XSNM-805 WILL BIND THE

COMMISSION'S JUDGMENT OF THE ISSUES TO BE CONSIDERED IN  
THE FORTHCOMING HEARING AND DECISION."

2. COMPLETE TEXT OF ORDER BEING AIR-POUCHED SOONEST. ROBINSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NUCLEAR FUELS, NUCLEAR POWER PLANTS, EXPORT LICENSES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 24 MAY 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE127544  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** DHOYLE  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760201-0645  
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**Handling Restrictions:** n/a  
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**Line Count:** 119  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN OES  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** blochd0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 24 JUN 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <24 JUN 2004 by mendozsm>; APPROVED <14 JAN 2005 by blochd0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TARAPUR FUEL EXPORT LICENSES  
**TAGS:** TECH, IN  
**To:** BOMBAY  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006